PATENT COOPERATION TREATY

PCT

TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference MMG B 03-08 PCT	FOR FURTHER ACTION	See Form PCT/IPEA/416		
International application No.	International filing date (day/month/year)	Priority date (day/month/year)		
PCT/FR2004/002334	15.09.2004	25.11.2003		
International Patent Classification (IPC) or nati	onal classification and IPC			
A61C1/14				
Applicant MICRO-MEGA INTERNATION	ONAL MANUFACTURES (SC	CIETE ANONYME)		
This report is the international prelin under Article 35 and transmitted to the		is International Preliminary Examining Authority		
2. This REPORT consists of a total of	6 sheets, include	ding this cover sheet.		
3. This report is also accompanied by A	NNEXES, comprising:			
a. (sent to the applicant and	to the International Bureau) a total of3	sheets, as follows:		
sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).				
sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental				
Box.				
b. (sent to the International.	Bureau only) a total of (indicate type and num	nber of electronic carrier(s))		
, containing a sequence listing and/or tables				
related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).				
4. This report contains indications relati	ng to the following items:	REUTED		
Box No. I Basis of the	report	RECTED RSION		
Box No. II Priority		RSION		
Box No. III Non-establi	shment of opinion with regard to novelty, inv	entive step and industrial applicability		
Box No. IV Lack of uni	ty of invention			
	atement under Article 35(2) with regard to no d explanations supporting such statement	ovelty, inventive step or industrial applicability;		
Box No. VI Certain doc	uments cited			
Box No. VII Certain defe	ects in the international application			
Box No. VIII Certain obse	ervations on the international application			
Date of submission of the demand	Date of completion of	this report		
Name and mailing address of the IPEA/EP	Authorized officer			
Facsimile No.	Telephone No.			

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International application No.
PCT/FR2004/002334

Box	No. I	I Basis of the report		
1.		th regard to the language, this report is based on the internation icated under this item.	onal application in the language in	which it was filed, unless otherwise
		This report is based on translations from the original langua which is the language of a translation furnished for the purp international search (Rule 12.3 and 23.1(b)) publication of the international application (Rule 12.4 international preliminary examination (Rule 55.2 and	ooses of:	,
2.	rece	th regard to the elements of the international application, this eiving Office in response to an invitation under Article 14 and report): the international application as originally filed/furnished the description:	report is based on (replacement s	
		pages 1-12 pages*		as originally filed/furnished
		pages*	received by this Authority on	_
	\boxtimes	the claims:	- • • • • • • • • • • • • • • • • • • •	
		nos.		as originally filed/furnished
		nos.*		
		nos.* 1-16		15.04.2005 with
		nos.*		_
	\boxtimes	the drawings:	-	
		sheets 1/3-3/3		as originally filed/furnished
		sheets*	-	
				_
	\vdash	a sequence listing and/or any related table(s) — see Supplem	ental Box Relating to Sequence L	asting.
3.	Ш	The amendments have resulted in the cancellation of:		
		the description, pages		
		the claims, nos.		
		the drawings, sheets/figs		
		the sequence listing (specify):		
		any table(s) related to sequence listing (specify):		
4.		This report has been established as if (some of) the amend they have been considered to go beyond the disclosure as fi		
		the description, pages		
		the claims, nos.		
		the drawings, sheets/figs		
		the sequence listing (specify):		
		any table(s) related to sequence listing (specify):		
*	If ite	em 4 applies, some or all of those sheets may be marked "sup	erseded."	

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Box	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement			
1.	Statement			
	Novelty (N)	Claims	3-9, 11-13, 15, 16	YES
		Claims	1, 2, 10, 14	NO
	Inventive step (IS)	Claims	3-9	YES
		Claims	1, 2, 10-16	NO
	Industrial applicability (IA)	Claims	1-16	YES
		Claims		NO

- 2. Citations and explanations (Rule 70.7)
 - In the present report, reference is made to the following documents:
 - D1: EP 0 322 896 A (NAKANISHI DENTAL MFG) 5 July 1989 (1989-07-05)
 - D2: FR 2 393 564 A (BUERMOOS DENTALWERK) 5 January 1979 (1979-01-05)
 - 2. INDEPENDENT CLAIM 1
 - 2.1 The present application fails to meet the requirements of PCT Article 33(1), since the subject matter of claim 1 does not comply with the criterion of novelty as defined by PCT Article 33(2). D1 describes (the references between parentheses apply to said document):

a device for fastening a dental instrument to a tool-holder assembly, whereby a dental tool or instrument is fastened and rotated about a drive axis, such that said tool-holder assembly (118) is incorporated in a head (12) of a dental handpiece and coupled to a movement transmission assembly, built into a sleeve (13) of said handpiece (10);

(a) said device mainly consists of a deformable and

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
BOX NO. V	citations and explanations supporting such statement
	elastic clamping/releasing means in belt form (118a),
	of which at least two portions have a cross-section
	(118a-vi and 118a-vii) for engaging a throat or ring-
	shaped groove (11b) provided on the upper portion of
	the instrument and holding said instrument by clamping
	forces; said clamping/releasing means further
	comprises means (20) for applying releasing forces so
	as to cancel the clamping forces and thereby free the
	instrument (see column 5, lines 3 to 32 and figures 3
	to 6);
(b)	wherein the clamping/releasing means fulfils the
	function of upper axial limit of the instrument by
	engaging under the upper shoulder of said groove (see
	reference 18a-iv on figure 4);
(c)	and wherein the portions of the clamping/releasing
	means that engage in the throat or ring-shaped groove
	are regularly angularly spaced (see figure 6).
2.2	The subject matter of claim 1 is also known from D2
	(see page 5, lines 1 to 17 and figures 1 to 3 and 5).
	In D2, the rollers (16) forming part of the
	clamping/releasing means are diametrically opposed and
	limit the axial movement of the instrument by engaging
	under the upper shoulder of said groove (see page 4,
	lines 3 to 8 and figure 5). Note that the key system
	(24, 25) provides rotational support for the tool
	relative to the hollow shaft (2).
3.	DEPENDENT CLAIMS 2 and 10 to 16
	Said claims contain no feature which, when combined
	with the features of any one of the claims to which
	they refer, defines subject matter that complies with

	PC1/FR2004/002334
Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	the PCT requirements of novelty and inventive step
	(PCT Article 33(2) and (3)).
3.1	D2 also discloses a fastening device that is
	removable, particularly by unscrewing the ring 19 (see
	figure 4), as per claim 2; an elastic split ring
	(118a) that can be considered to be a ring-shaped
	gripper provided with shoulders (118a-vi, 118a-vii;
	see column 5, lines 20 to 23), as per claim 10; and a
	pushbutton (20; see figure 4), as per claim 14.
	Consequently, the subject matter of claims 2, 10 and
	14 fails to meet the requirement of novelty.
3.2	The additional features consisting of a frusto-conical
	portion of the split ring (claim 11), an axially-
	guided pushbutton (claim 12), a pushbutton comprising
	spring plates (claim 13), a pushbutton rigidly
	connected to the tool holder (claim 15) and a snap-
	fastened pushbutton (claim 16) are considered to be
	part of the standard practice of a person skilled in
	the art. Consequently, the subject matter of claims 11
	to 13, 15 and 16 fails to meet the requirement of
	inventive step.
4.	DEPENDENT CLAIM 3
4.1	The combination of features of claim 3 is not found in
	the prior art and cannot be derived in an obvious
	manner therefrom for the following reasons:
	In the light of the cited documents, the parallelogram
	shape of the clamping/releasing means having two ends
	projecting diametrically beyond the shell of the head
	constitutes an alternative that is not obvious to a

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	person skilled in the art.
4.2	Claims 4 to 9 are dependent on claim 3 and thus also
	comply, as such, with the PCT requirements of novelty
	and inventive step.